

REMARKS

The Office action mailed September 16, 2002 has been reviewed. Claims 1 through 20 are pending in this action. Of these, claims 1 and 10 are independent claims. Claims 2 through 9 depend from claim 1. Claims 11 through 20 depend from claim 10.

Upon entry of this Amendment, claims 19 and 20 will have been cancelled. Claims 1 through 18 and 21 through 38 will be pending. Claims 1, 10, 21 and 30 are independent claims.

Claims 1 and 10 each have been amended to incorporate the elements of claim 19. No new matter has been introduced.

New claims 21 through 38 have been added. New independent claim 21 corresponds to former claims 1 and 20. New dependent claims 22 through 29 correspond to claims 2 through 9. No new matter has been added.

New independent claim 30 corresponds to former claims 10 and 20. New dependent claims 31 through 38 correspond to claims 12 through 18. No new matter has been added.

These amendments previously were submitted by Preliminary Amendment mailed September 6, 2002, which crossed in the mail with the instant Office action and apparently not entered. Consequently, Applicants submit this Amendment.

Section 103(a) Rejections

Claims 1 through 18 stand rejected under 35. U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 4,372,777 issued to LeClair et al., U.S. Patent No. 5,612,285 issued to Arnold and JP 63303903. Independent claims 1 and 10, as amended, and new independent claims 21 and 30 are patentably distinguishable over LeClair, Arnold and JP 63303903 in that these references do not teach or suggest the instant composition comprising hydroxy methylthio butanoic acid nor at least one member selected from the group consisting of diammonium phosphate $((\text{NH}_4)_2\text{HPO}_4)$ and the isopropylamine salt of N-(phosphonomethyl).

glycine. Claims 1 through 9, 11 through 20, 22 through 29 and 30 through 38 depend from a patentable independent claim or an intervening dependent claim and as such are distinguishable.

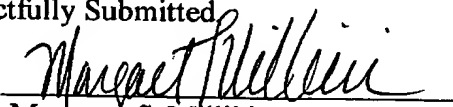
Applicants' attorney would welcome the opportunity to discuss the case with the Examiner in the event that there are any questions or comments concerning the application or this Preliminary Amendment.

Applicants submit that the application is in condition for allowance and courteously solicit an early Notice of Allowability.

This is intended to be a complete response to the Office action mailed September 16, 2002.

Respectfully Submitted

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please cancel claims 19-20.

Please amend the claims as follows:

1.(Amended) A stable agricultural solids suspension readily dispersible in water, the suspension comprising:

- a. agricultural solids consisting of at least one member selected from the group consisting of a fertilizer, an adjuvant, a herbicide and a pesticide, said agricultural solids having particles more than about 99 wt.% passable through a Tyler #48 sieve;
- b. a single non-ionic surfactant selected from the group consisting of alkyl-phenoxy-poly(ethylenoxide)alkanols, ethoxylated aliphatic C₁₁ to C₁₅ alcohols, ethylene oxide-propylene oxide block copolymers and ethoxylated fatty acids; [and]
- c. a water-soluble glycol liquid consisting of at least one member of the group consisting of ethylene glycol, and propylene glycol; and
- d. methylthio- α -hydroxybutyric acid.

10.(Amended) A stable suspension of ammonium sulfate $(\text{NH}_4)_2\text{SO}_4$ readily dispersible in water, the suspension comprising:

a. ammonium sulfate particles more than about 99 wt.% passable through a Tyler #48 sieve;

5 b. a single non-ionic surfactant selected from the group consisting of alkyl-phenoxy-poly(ethylenoxide)alkanols, ethoxylated aliphatic C_{11} to C_{15} alcohols, ethylene oxide-propylene oxide block copolymers and ethoxylated fatty acids;

c. a water-soluble glycol liquid consisting of at least one member of the group consisting of ethylene glycol, and propylene glycol; and

10 d. methylthio- α -hydroxybutyric acid.

Please add the following new claims:

21.(New) A stable agricultural solids suspension readily dispersible in water comprising:

- a. agricultural solids consisting of at least one member selected from the group consisting of a fertilizer, an adjuvant, a herbicide and a pesticide, said agricultural solids having particles more than about 99 wt.% passable through a Tyler #48 sieve;
- b. a single non-ionic surfactant selected from the group consisting of alkyl-phenoxy-poly(ethylenoxide)alkanols, ethoxylated aliphatic C₁₁ to C₁₅ alcohols, ethylene oxide-propylene oxide block copolymers and ethoxylated fatty acids;
- c. a water-soluble glycol liquid consisting of at least one member of the group consisting of ethylene glycol, and propylene glycol; and
- d. at least one member selected from the group consisting of diammonium phosphate ((NH₄)₂HPO₄) and the isopropylamine salt of N-(phosphonomethyl) glycine.

22.(New) The agricultural solids suspension of Claim 21, wherein the concentration of the agricultural solids is between about 20 wt.% and 80 wt.%; the concentration of the glycol liquid is between about 20 wt.% and about 80 wt.%; and the concentration of the non-ionic surfactant is between about 1 wt.% and about 9 wt.%.

23.(New) The agricultural solids suspension of Claim 21, wherein the concentration of the agricultural solids is between about 50 wt.% and about 70 wt.%; the concentration of the glycol liquid is between about 30 wt. % and about 50 wt.%; and the concentration of the non-ionic surfactant is between about 2.5 wt.% and 6.5 wt.%.
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24.(New) The agricultural solids suspension of Claim 21, wherein the agricultural solids consist of at least one member of the group consisting of ammonium sulfate $((\text{NH}_4)_2\text{SO}_4)$, diammonium phosphate $((\text{NH}_4)_2\text{HPO}_4)$ and the isopropylamine salt of N-(phosphonomethyl) glycine.

25.(New) The agricultural solids suspension of Claim 21, wherein the molecular weight of the non-ionic surfactant is between about 300 and 1000.

26.(New) The agricultural solids suspension of Claim 21, wherein the non-ionic surfactant is selected from the group consisting of dodecylphenoxy poly(ethylene oxide)_{9,5-11} ethanol, dodecylphenoxy poly(ethylene oxide)₉ ethanol, octylphenoxy poly(ethylene oxide)₇ ethanol, octylphenoxy poly(ethylene oxide)₅ ethanol, and nonylphenoxy poly(ethylene oxide)₄.
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27.(New) The agricultural solids suspension of Claim 21, wherein the non-ionic surfactant is selected from the group consisting of a C₁₂-C₁₄ secondary aliphatic alcohol (ethoxylate)₉, a C₁₂-C₁₄ secondary alcohol (ethoxylate)₁₂, undecanol (ethoxylate)₉ and oleyl (ethoxylate)₁₀.

28.(New) The agricultural solids suspension of Claim 21, wherein the non-ionic surfactant is dodecylphenoxy poly(ethylene oxide)_{9,5-11} ethanol.

29.(New) The agricultural solids suspension of Claim 21, wherein the glycol liquid is propylene glycol.

30.(New) A stable suspension of ammonium sulfate $((\text{NH}_4)_2\text{SO}_4)$ readily dispersible in water, the suspension comprising:

a. ammonium sulfate particles more than about 99 wt.% passable through a Tyler #48 sieve;

5 b. a single non-ionic surfactant selected from the group consisting of alkyl-phenoxy-poly(ethylenoxide)alkanols, ethoxylated aliphatic C_{11} to C_{15} alcohols, ethylene oxide-propylene oxide block copolymers and ethoxylated fatty acids;

c. water-soluble glycol liquid consisting of at least one member of the group consisting of ethylene glycol, and propylene glycol; and

10 d. at least one member selected from the group consisting of diammonium phosphate $((\text{NH}_4)_2\text{HPO}_4)$ and the isopropylamine salt of N-(phosphonomethyl) glycine.

31.(New) The ammonium sulfate suspension of Claim 30, wherein the concentration of the agricultural solids is between about 30 wt.% and 70 wt.%; the concentration of the glycol liquid is between about 30 wt.% and about 70 wt.%; and the concentration of the non-ionic surfactant is between about 1 wt.% and about 9 wt.%.
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32.(New) The ammonium sulfate suspension of Claim 30, wherein the concentration of the ammonium sulfate is between about 40 wt.% and 70 wt.%; the concentration of the glycol liquid is between about 30 wt.% and about 60 wt.%; and the concentration of the non-ionic surfactant is between about 1 wt.% and about 9 wt.%.
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33.(New) The ammonium sulfate suspension of Claim 30, wherein the concentration of the ammonium sulfate is between about 50 wt.% and about 70 wt.%; the concentration of the glycol liquid is between about 30 wt. % and about 50 wt.%; and the concentration of the non-ionic surfactant is between about 2.5 wt.% and 6.5 wt.%.
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34.(New) The ammonium sulfate suspension of Claim 30, wherein the non-ionic surfactant has a molecular weight between about 300 and about 1000.

35.(New) The ammonium sulfate suspension of Claim 30, wherein the non-ionic surfactant is selected from the group consisting of dodecylphenoxy poly(ethylene oxide)_{9.5-11} ethanol, dodecylphenoxy poly(ethylene oxide)₉ ethanol, octylphenoxy poly(ethylene oxide)₇ ethanol, octylphenoxy poly(ethylene oxide)₅ ethanol, and nonylphenoxy poly(ethylene oxide)₄.
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36.(New) The agricultural solids suspension of Claim 30, wherein the non-ionic surfactant is selected from the group consisting of a C₁₂-C₁₄ secondary aliphatic alcohol (ethoxylate)₉, a C₁₂-C₁₄ secondary alcohol (ethoxylate)₁₂, undecanol (ethoxylate)₉ and oleyl (ethoxylate)₁₀.

37.(New) The ammonium sulfate suspension of Claim 30, wherein the non-ionic surfactant is dodecylphenoxy poly(ethylene oxide)_{9.5-11} ethanol.

38.(New) The ammonium sulfate suspension of Claim 30, wherein the glycol liquid is propylene glycol.

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